

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JOSEPH BARKER, REGIONAL DIRECTOR OF REGION 13 OF THE NATIONAL LABOR RELATIONS BOARD, FOR AND ON BEHALF OF THE NATIONAL LABOR RELATIONS BOARD,)	
)	Civil No. 08CV 2229
)	Judge Grady
)	Magistrate Judge Cole
Petitioner,)	
)	
v.)	
)	
REGAL HEALTH AND REHAB CENTER,)	
)	
Respondent.)	

MOTION TO APPEAR AS AMICUS CURIAE

NOW COMES Service Employees International Union, Local 4, by and through their attorneys Margaret Angelucci and Stephanie Brinson of Asher, Gittler, Greenfield & D'Alba, Ltd. ("Union" or "Charging Party") and moves to appear as amicus curiae and states in support of its Motion to as follows:

1. On January 8, 2008, the Union filed unfair labor practice charges 13-CA 44481 and 13-CA 44482 with the National Labor Relations Board ("NLRB") alleging certain unfair labor practices were being committed by the Respondent Regal Health and Rehab Center.
2. After an investigation of those charges the NLRB issued a complaint on March 13, 2008.
3. On April 18, 2008, the NLRB filed a Petition for Preliminary Injunction under Section 10(j) of the National Labor Relations Act with this Court seeking injunctive relief to remedy the harm caused by the unfair labor practices..

4. The Union is the Charging Party in this matter and a party in the administrative proceedings before the NLRB and requests to appear as amicus curiae in the matter in this related injunction proceeding before this Court in order to represent its interests and to fully inform the Court on relevant matters.

5. The NLRB's current policy is to oppose any motion by charging parties to formally intervene in 10(j) proceedings, but to support any motion for amicus curiae status. NLRB General Counsel Memorandum 99-4.

6. Pursuant to the current NLRB policy, charging parties such as Local 4, SEIU appearing as amicus should be given an opportunity to appear by counsel and present any relevant evidence. NLRB General Counsel Memorandum 99-4.

WHEREFORE, the Union requests that it be granted status as an amicus curiae in the instant case and be allowed to present any relevant evidence.

Respectfully submitted,

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